

32B-6-406.1 Specific operational restrictions related to dance or concert hall.

- (1) A minor who is at least 18 years of age may be admitted into, use, or be on the premises of a dance or concert hall if:
 - (a) the dance or concert hall is located:
 - (i) on the licensed premises of a social club licensee; or
 - (ii) on the property that immediately adjoins the licensed premises of and is operated by a social club licensee; and
 - (b) the social club licensee holds a permit to operate a dance or concert hall that was issued on or before May 11, 2009:
 - (i) on the basis of the operational requirements described in Subsection (2); and
 - (ii) when the social club licensee was licensed as a class D private club.
- (2) A social club licensee that holds a dance or concert hall permit shall operate in such a way that:
 - (a) the social club licensee's lounge, bar, or other area for alcoholic product consumption is:
 - (i) not accessible to a minor;
 - (ii) clearly defined; and
 - (iii) separated from the dance or concert hall area by one or more walls, multiple floor levels, or other substantial physical barriers;
 - (b) a bar or dispensing area is not visible to a minor;
 - (c) consumption of an alcoholic product may not occur in:
 - (i) the dance or concert hall area; or
 - (ii) an area of the social club license premises accessible to a minor;
 - (d) the social club licensee maintains sufficient security personnel to prevent the passing of beverages from the social club licensee's lounge, bar, or other area for alcoholic product consumption to:
 - (i) the dance or concert hall area; or
 - (ii) an area of the social club licensee premises accessible to a minor;
 - (e) there are one or more separate entrances, exits, and restroom facilities from the social club licensee's lounge, bar, or other area for alcoholic product consumption than for:
 - (i) the dance or concert hall area; or
 - (ii) an area accessible to a minor; and
 - (f) the social club licensee complies with any other requirements imposed by the commission by rule.
- (3)
 - (a) A minor under 18 years of age who is accompanied at all times by a parent or legal guardian may be admitted into, use, or be on the premises of a concert hall described in Subsection (1) if:
 - (i) the requirements of Subsection (2) are met; and
 - (ii) signage, product, and dispensing equipment containing recognition of an alcoholic product is not visible to the minor.
 - (b) A minor under 18 years of age but who is 14 years of age or older who is not accompanied by a parent or legal guardian may be admitted into, use, or be on the premises of a concert hall described in Subsection (1) if:
 - (i) the requirements of Subsections (2) and (3)(a) are met; and
 - (ii) there is no alcoholic product, sales, furnishing, or consumption on the premises of the social club licensee.
- (4) The commission may suspend or revoke a dance or concert permit issued to a social club licensee and suspend or revoke the license of the social club licensee if:
 - (a) the social club licensee fails to comply with the requirements in this section;

- (b) the social club licensee sells, offers for sale, or furnishes an alcoholic product to a minor;
 - (c) the social club licensee or a supervisory or managerial level staff of the social club licensee is convicted under Title 58, Chapter 37, Utah Controlled Substances Act, on the basis of an activity that occurs on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the social club licensee;
 - (d) there are three or more convictions of patrons of the social club licensee under Title 58, Chapter 37, Utah Controlled Substances Act, on the basis of activities that occur on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the social club licensee;
 - (iii) there is more than one conviction:
 - (A) of:
 - (I) the social club licensee;
 - (II) staff of the social club licensee;
 - (III) an entertainer contracted by the social club licensee; or
 - (IV) a patron of the social club licensee; and
 - (B) made on the basis of a lewd act or lewd entertainment prohibited by this title that occurs on:
 - (I) the licensed premises; or
 - (II) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the social club licensee; or
 - (e) the commission finds acts or conduct contrary to the public welfare and morals involving lewd acts or lewd entertainment prohibited by this title that occurs on:
 - (i) the licensed premises; or
 - (ii) the dance or concert hall that is located on property that immediately adjoins the licensed premises of and is operated by the social club licensee.
- (5) Nothing in this section prohibits a social club licensee from selling, offering for sale, or furnishing an alcoholic product in a dance or concert area located on the social club licensed premises on days and times when the social club licensee does not allow a minor into those areas.

Enacted by Chapter 276, 2010 General Session